

DEFENDANT'S MOTION TO LAY OUT FINE IN JAIL

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

DEFENDANT'S MOTION TO LAY OUT FINE IN JAIL

On the _____ day of _____, 20____, I was found guilty of the offense of _____ and was assessed a fine and court costs totaling \$_____ dollars, of which \$_____ is unpaid.

I understand that I may ask the Court to grant me an extension of time to pay, a payment plan, or community service to discharge the fine and costs for all or part of the fine and costs. **I DO NOT WANT an extension to pay, I DO NOT WANT a payment plan, and I DO NOT WANT to perform community service to discharge the fine and costs. I REFUSE TO PAY THE FINE AND COSTS ORDERED BY THE COURT.**

I understand that I may ask the Court to consider my financial situation to decide if I am indigent. "Indigent" means that I do not earn more than 125 percent of the income standard established by applicable federal poverty guidelines. If the Court found me indigent, I could not be jailed to pay the fine and costs. **I DO NOT claim that I am indigent. I DO NOT WANT a hearing on whether I am indigent.**

I was 17 years old or older when I committed the offense. I am of sound mind. **I request the Court to order me to jail immediately.** If my request is granted, I will be given jail credit at not less than 8 hours or more than 24 hours as the period I must remain in jail to satisfy not less than a minimum of \$50 of the fines and costs. **I understand that the Judge will determine the rate at which I earn jail credit.**

The Court has not encouraged me to make this motion. I understand that I have been convicted of an offense punishable by the imposition of a monetary fine, not by a term of incarceration. My request to discharge the fine and costs through commitment to jail has not been influenced by the Court or any individual, other than myself. This motion is made **freely and voluntarily.**

I have read this entire motion, I understand it, and I agree to sign it and present it to the Judge. I want the Judge to grant this motion and order me to jail.

Date

Defendant's Signature

Printed name and address: _____

Telephone number(s): _____

☐ Motion granted

☐ Motion denied

Date

Judge, Municipal Court

(municipal court seal)

City of _____

COMMITMENT

On this the ____ day of _____, 20____, the Court considered the foregoing Defendant's Motion to Lay Out Fine in Jail. **THE COURT FINDS** that the motion was made freely and knowingly and the Court determines that the request should be granted.

It is therefore **ORDERED** that the Defendant, _____, is committed to the custody of the [(Chief of Police)(City Marshal) of the City of _____] (Sheriff of _____ County), Texas until such time as Defendant's fine and costs have been discharged as provided by law and that this Motion and Commitment be kept with the papers of this cause.

Unless otherwise specified in the judgment or sentence in said cause, pursuant to Article 45.048(b), Code of Criminal Procedure, the Court specifies that the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (*not less than 8 or more than 24*) to earn

_____ (*minimum dollar amount \$50*) until such time as Defendant's fine and costs have been discharged.

It is **ORDERED** that this Motion and Commitment be kept with the papers of this cause.

ENTERED this ____ day of _____, 20____.

Judge, Municipal Court

(municipal court seal)

City of _____

_____ County, Texas